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On behalf of Aroostook Timberlands, LLC

125<sup>th</sup> Maine Legislature  
Second Regular Session – 2012  
HP 1371, LD 1853

An Act to Improve Environmental Oversight and Streamline Permitting  
for Mining in Maine

Committee Amendment "C"

Sec. 1 is amended as follows:

**§490-CCC. Definitions**

5. Mining waste. "Mining waste" means all waste materials (solid, semi-solid, or liquid) associated with exploration, advanced exploration, and mining activities. Such wastes include, but are not limited to, rock, spent leach material, tailings, and other process waste such as leachate and wastewater treatment plant residuals. Land clearing debris, wood waste, wastes from solvent extraction and electrowinning are not considered mine waste for purposes of this article. Notwithstanding 06-096 CMR 850, mine waste is not hazardous waste to the extent mine waste has been excluded by Subchapter 3 of the Resource Conservation and Recovery Act, 42 U.S.C. 6901, et seq.

**§490-EEE. Mining permit; application procedure**

4. Criteria for approval. Subject to subsection (3), the department shall approve a mining permit whenever it finds the following:

F. Flooding. The activity will not unreasonably cause or increase the flooding of the alteration area or adjacent properties nor create an unreasonable flood hazard to any structure. Mining operations may be placed in flood plains or flood hazard areas provided that they are designed, constructed, operated and reclaimed in a manner that complies with the approval criteria in this subsection (4). This criterion shall not prohibit the placement of mining waste, stockpiles, ore leaching operations, and tailings impoundments within flood hazard zones and floodplains.